

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

PLAINTIFF'S  
EXHIBIT

**47**

JAYLA ALLEN, DAMON JOHNSON,  
TREASURE SMITH, and THE PANTHER  
PARTY,  
*Plaintiffs*,

V.

WALLER COUNTY TEXAS; THE  
WALLER COUNTY COMMISSIONERS  
COURT; JUDGE CARBETT "TREY" J.  
DUHON III, in his official capacity as the  
Waller County Judge; and CHRISTY A.  
EASON, in her official capacity as the  
Waller County Elections Administrator,  
*Defendants*.

Civil Action No. 4:18-CV-3985

**DEFENDANT JUDGE TREY DUHON'S RESPONSE AND OBJECTIONS TO  
PLAINTIFFS' SECOND SET OF INTERROGATORIES**

TO: Plaintiffs, Jayla Allen, Damon Johnson, Treasure Smith, and the Panther Party, c/o their counsel of record:

Leah C. Aden, Deuel Ross, Kristen A. Johnson, John S. Cusick, NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC., 40 Rector Street, 5th Floor, New York, New York 10006, Phone: (212) 965-2200, Fax: (212) 226-7592, [laden@naacpldf.org](mailto:laden@naacpldf.org), [dross@naacpldf.org](mailto:dross@naacpldf.org), [kjohnson@naacpldf.org](mailto:kjohnson@naacpldf.org), [jcusick@naacpldf.org](mailto:jcusick@naacpldf.org)

Catherine Meza, NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC., 700 14th Street NW, Suite 600, Washington, DC 20005, Phone: (202) 682-1300, Fax: (212) 226-7592, [cmeza@naacpldf.org](mailto:cmeza@naacpldf.org)

Adam T. Schramek, NORTON ROSE FULBRIGHT US LLP, 98 San Jacinto Boulevard, Suite 1100, Austin, Texas 78701-4255, Telephone: (512) 474-5201, Facsimile: (512) 536-4598, [adam.schramek@nortonrosefulbright.com](mailto:adam.schramek@nortonrosefulbright.com)

Julie Goodrich Harrison, Nicole Lynn, NORTON ROSE FULBRIGHT US LLP, 1301 McKinney Street, Suite 5100, Houston, Texas 77010, Telephone: (713) 651-5151, Facsimile: (713) 651-5246, [julie.harrison@nortonrosefulbright.com](mailto:julie.harrison@nortonrosefulbright.com), [nicole.lynn@nortonrosefulbright.com](mailto:nicole.lynn@nortonrosefulbright.com)

William F. Calve, NORTON ROSE FULBRIGHT US LLP, 300 Convent Street, Suite 2100, San Antonio, Texas 78205-3792, Telephone: (210) 270-7132, Facsimile: (210) 270-7205, william.calve@nortonrosefulbright.com

COMES NOW, Defendant, Judge Carbett “Trey” J. Duhon III, Waller County Judge (“Judge Duhon”) in the above-styled matter and, pursuant to the Federal Rules of Civil Procedure, serves this Response and Objections to Plaintiffs’ Second Set of Interrogatories.

Respectfully submitted,

BICKERSTAFF HEATH  
DELGADO ACOSTA LLP  
3711 South MoPac Expressway  
Building One, Suite 300  
Austin, Texas 78746  
512-472-8021 (Telephone)  
512-320-5638 (Facsimile)

By: /s/ Gunnar P. Seaquist  
Gunnar P. Seaquist  
Texas State Bar No. 24043358  
Southern District No: 1140733  
gseaquist@bickerstaff.com  
C. Robert Heath  
Texas State Bar No. 09347500  
Southern District No. 13381  
bheath@bickerstaff.com

**ATTORNEYS FOR ALL DEFENDANTS**

**CERTIFICATE OF SERVICE**

This is to certify that on November 22, 2019, a true and correct copy of the foregoing document was served on all counsel of record via email.

/s/ Gunnar P. Seaquist  
Gunnar P. Seaquist

## **RESPONSES AND OBJECTIONS TO SECOND SET OF INTERROGATORIES**

**INTERROGATORY NO. 7:** Describe in detail all incidents that were reported to Defendant Duhon in writing or reported by Defendant Duhon in writing during the 2018 general election that provided any basis for him to conclude that election security had become an issue at the Memorial Student Center polling location on the PVAMU campus during early voting. To be responsive to this Interrogatory, your descriptions must include, but not be limited to, any and all written incidents, dates of the incidents, supporting documentation about the incidents, a summary of the incidents, the time of incidents, the location of the incidents, the manner in which the incidents were reported, who initially reported the incidents, to whom the incidents were initially reported, how the incidents were investigated and addressed, and whether the incidents were resolved.

**RESPONSE:** Defendant objects that this request is multifarious, as it contains at least seven (7) discrete subparts. Defendant further objects to the extent that this request seeks to have Defendant Duhon marshal all of his evidence in support of security concerns at the Memorial Student Center. Subject to the foregoing objections, and preserving the same, in the 2018 general election, there was an incident during early voting when an election inspector walked into the auditorium where the election equipment was stored (and where voting took place) after hours and saw a rehearsal in progress on stage while the voting equipment was in the room. The incident was not documented in writing. Defendant Duhon further refers you to his deposition testimony in regard to security concerns at the Memorial Student Center, and incorporates the same herein.

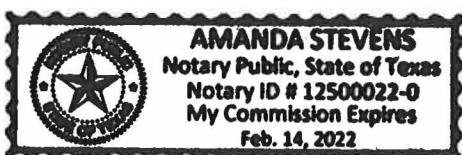
## VERIFICATION

STATE OF TEXAS §  
COUNTY OF WALLER §

BEFORE ME, the undersigned authority, on this day personally appeared Judge Carbett "Trey" J. Duhon III, in his official capacity, who, being first duly sworn, did state that the foregoing responses to the Plaintiff's Second Set of Interrogatories and the information contained in the responses are true and correct based on the information available to him as the Waller County Judge.

Carbett "Trey" J. Duhon III  
Waller County Judge

SWORN TO AND SUBSCRIBED BEFORE ME this 19th day of November,  
2019, to certify which witness my hand and seal of office.



## Notary Public in and for the State of Texas

Amber Soto